

OK 15247

K-42257

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## NOTICE OF DEFAULT AND ELECTION TO SELL

Reference is made to that certain trust deed made by PETER M. BLAKE and SUSAN L. BLAKE,  
husband and wife, as grantor, to  
KLAMATH COUNTY TITLE INSURANCE COMPANY, as trustee,  
in favor of FIRST AMERICAN TITLE INSURANCE COMPANY, as beneficiary,  
dated December 19, 1989, recorded January 26, 1990, in the mortgage records of  
Klamath County, Oregon, in Book 166/volume No. M90 at page 1855, or as  
fee/file/instrument/microfilm/reception No. N/A (indicate which), covering the following described real  
property situated in said county and state, to-wit:

7604 Cannon Avenue, Klamath Falls, Oregon;  
Lot 33, SKYLINE VIEW, Klamath County, Oregon.

The undersigned hereby certifies that no assignments of the trust deed by the trustee or by the beneficiary and no appointments of a successor-trustee have been made except as recorded in the mortgage records of the county or counties in which the above described real property is situate; further, that no action has been instituted to recover the debt, or any part thereof, now remaining secured by the said trust deed, or, if such action has been instituted, such action has been dismissed except as permitted by ORS 86.735(4).

There is a default by the grantor or other person owing an obligation, the performance of which is secured by said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

\$350.00 due on April 18, 1990

\$450.00 due on April 25, 1990

\$350.00 due on May 1, 1990

\$500.00 due on May 5, 1990

\$500.00 due on May 23, 1990

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to-wit:

Unpaid principal balance of \$50,000.00, plus interest thereon at  
the rate of 11.75% per annum from December 1, 1989, until paid,  
plus late charges.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the said described property which the grantor had, or had the power to convey, at the time of the execution by him of the trust deed, together with any interest the grantor or his successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by said trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 10:00 o'clock, A. M., in accord with the standard of time established by ORS 187.110 on October 23, 1990, at the following place: Marceau, Karnopp, Petersen,  
Noteboom & Hubel, 1201 N.W. Wall Street, Suite 300 in the City of Bend, County of  
Deschutes, State of Oregon, which is the hour, date and place last set for said sale.

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Other than as shown of record, neither the said beneficiary nor the said trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the trust deed, or of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except:

2. NAME AND LAST KNOWN ADDRESS:

NATURE OF RIGHT, LIEN OR INTEREST

NONE

NONE

Notice is further given that any person named in ORS 86.753, has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee's and attorney's fees not exceeding the amounts provided by said ORS 86.753.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

DATED: MAY 18, 1990

By Steve F. Hooper  
Title Assistant Secretary Beneficiary (State which)

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)  
STATE OF OREGON, ss.

County of \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_

STATE OF OREGON, County of Santa Clara ss.  
The foregoing instrument was acknowledged before me this MAY 18, 1990, by Steve F. Hooper, president, and by Assistant Secretary, secretary of First American Title Insurance corporation, on behalf of the corporation.  
Notary Public for Oregon CAUFORNIA (SEAL)  
My commission expires: 4-13-93

(SEAL) My commission expires: \_\_\_\_\_

# NOTICE OF DEFAULT AND ELECTION TO SELL (FORM No. 884) STEVENS-NESS LAW PUB. CO., PORTLAND, OR.

Re: Trust Deed From  
PETER M. BLAKE and SUSAN L. BLAKE, husband and wife Grantor  
To KLAMATH COUNTY TITLE COMPANY Trustee

AFTER RECORDING RETURN TO  
Christopher C. Eck  
Marceau, Karnopp, Petersen,  
Noteboom & Hubel  
1201 N.W. Wall, Suite 300  
Bend, OR 97701

OFFICIAL SEAL  
PHUONG NGUYEN VINH  
Notary Public-California  
SANTA CLARA COUNTY  
My Comm. Exp. Apr. 19, 1993

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, County of Klamath ss.  
I certify that the within instrument was received for record on the 24th day of May, 1990 at 11:26 o'clock A.M., and recorded in book/reel/volume No. M90 on page 2916 or as fee/tile/instrument/microfilm/reception No. 15247.  
Record of Mortgages of said County.  
Witness my hand and seal of County affixed.  
Evelyn Biehn, County Clerk  
By Pauline M. Muelender Deputy

Fee \$13.00